

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 576 PERMIT 315 LICENSE 3065

ORDER CORRECTING DISCRIPTION
OF THE POINT OF DIVERSION

WHEREAS:

1. License 3065 was issued to Reclamation District 108 and filed with the County Recorder of Colusa and Yolo Counties on February 28, 1950.
2. A January 15, 1991 staff inspection of the project site found the description of the point of diversion #1 for the Wilkins Slough Plant had been incorrectly described in the Order dated August 1, 1966.
3. The correction is needed to agree with the license as was issued on February 24, 1950, and the location of the point of diversion #1 as shown on the (7.5') U.S. Geological Survey Quadrangle Map - Tisdale Weir.
4. The Board has determined that the said correction will not initiate a new right nor operate to the injury of any other harmful user of water and that good and sufficient cause has been shown for said correction.
5. The license condition pertaining to the continuing authority of the Baord should be added to conform to the current common law public trust doctrine contained in Title 23, California Code of Regulations, Section 780(a).

NOW, THEREFORE, IT IS ORDERED THAT:

1. The description of the point of diversion #1 for Wilkins Slough Plant be corrected to read:

WILKINS SLOUGH PLANT

- (1) South eighty degrees seventeen minutes East (S80°17'E) nine hundred (900) feet from the NW corner of Lot 35, as said lot is delineated and so designated on that certain map entitled "Map of Yolo Land Company Subdivision No. 1", filed November 6, 1912, in Book 1, Page 86, records of surveys, Colusa County records, and being within the SW¼ of SE¼ of projected Section 35, T14N, R1E, MDB&M.


2. The continuing authority provisions of this license be added to read:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust. (0000012)

Dated: JUNE 05 1991

for 
Jesse M. Diaz, Chief
Division of Water Quality
and Water Rights

7

STATE OF CALIFORNIA—RESOURCES AGENCY
STATE WATER RIGHTS BOARD

ORDER

APPLICATION 576

PERMIT 315

LICENSE 3065

ORDER ALLOWING CHANGE IN POINTS OF DIVERSION

WHEREAS License 3065 was issued to Reclamation District No. 108 and was filed with the County Recorders of Yolo and Colusa Counties on February 28, 1950, and

WHEREAS the State Water Rights Board has found that the change in points of diversion under said license for which petition was submitted on February 17, 1966, will not operate to the injury of any other legal user of water, and

WHEREAS the Board has approved and allowed said change and has directed that an order be issued to describe said points of diversion in accordance with said petition;

NOW THEREFORE IT IS ORDERED that permission be and the same is hereby granted to change the points of diversion under said License 3065 to points of diversion described as follows, to wit:

WILKINS SLOUGH PLANT

- (1) SOUTH EIGHTY DEGREES SEVENTEEN MINUTES EAST (S80°17'E) NINE HUNDRED (900) FEET FROM THE NW CORNER OF LOT 35, AS SAID LOT IS DELINEATED AND SO DESIGNATED ON THAT CERTAIN MAP ENTITLED "MAP OF YOLO LAND COMPANY SUBDIVISION NO. 1", FILED NOVEMBER 6, 1912, IN BOOK 1, PAGE 86, RECORDS OF SURVEYS, COLUSA COUNTY RECORDS, AND BEING WITHIN THE SW $\frac{1}{4}$ OF SE $\frac{1}{4}$ OF PROJECTED SECTION 33, T14N, R1E, MDB&M.

STEINER BEND NORTH PLANT

- (2) NORTH FORTY-SEVEN DEGREES FORTY-FIVE MINUTES EAST (N47°45'E) SIX HUNDRED FIFTY (650) FEET FROM THE NW CORNER OF LOT 215, AS SAID LOT IS DELINEATED AND SO DESIGNATED ON THAT CERTAIN MAP ENTITLED "MAP OF RIVER GARDEN FARMS SUBDIVISION NO. 4", FILED MARCH 3, 1913, IN BOOK 1, PAGE 91, RECORDS OF SURVEYS, COLUSA COUNTY RECORDS, AND BEING WITHIN THE SE $\frac{1}{4}$ OF SE $\frac{1}{4}$ OF PROJECTED SECTION 1, T13N, R1E, MDB&M.

4

STATE WATER RIGHTS BOARD

ORDER

APPLICATION 576PERMIT 315LICENSE 3065STEINER BEND SOUTH PLANT

- (3) SOUTH FIVE DEGREES NO MINUTES WEST ($S5^{\circ}00'W$) ONE THOUSAND FOUR HUNDRED FORTY (1440) FEET FROM THE NE CORNER OF LOT 230, AS SAID LOT IS DELINEATED AND SO DESIGNATED ON THAT CERTAIN MAP ENTITLED "MAP OF RIVER GARDEN FARMS SUBDIVISION NO. 4", FILED MARCH 3, 1913, IN BOOK 1, PAGE 91, RECORDS OF SURVEYS, COLUSA COUNTY RECORDS, AND BEING WITHIN THE $NW\frac{1}{4}$ OF $SW\frac{1}{4}$ OF PROJECTED SECTION 12, T13N, R1E, MDB&M.

BOYERS BEND PLANT

- (4) NORTH EIGHTY-SIX DEGREES THIRTY-TWO MINUTES EAST ($N86^{\circ}32'E$) EIGHT HUNDRED SEVENTEEN (817) FEET FROM THE SW CORNER OF LOT 332, AS SAID LOT IS DELINEATED AND SO DESIGNATED ON THAT CERTAIN MAP ENTITLED "MAP OF RIVER GARDEN FARMS SUBDIVISION NO. 5", FILED JULY 7, 1913, IN BOOK 1, PAGE 100, RECORDS OF SURVEYS, COLUSA COUNTY RECORDS, AND BEING WITHIN THE $SE\frac{1}{4}$ OF $SE\frac{1}{4}$ OF PROJECTED SECTION 22, T13N, R1E, MDB&M.

HOWELL'S LANDING PLANT

- (5) NORTH EIGHTY-FOUR DEGREES THIRTY MINUTES EAST ($N84^{\circ}30'E$) ONE THOUSAND EIGHT HUNDRED FORTY (1840) FEET FROM THE SW CORNER OF LOT 435, AS SAID LOT IS DELINEATED AND SO DESIGNATED ON THAT CERTAIN MAP ENTITLED "MAP OF RIVER GARDEN FARMS SUBDIVISION NO. 5", FILED JULY 7, 1913, IN BOOK 1, PAGE 100, RECORDS OF SURVEYS, COLUSA COUNTY RECORDS AND BEING WITHIN THE $NW\frac{1}{4}$ OF $SW\frac{1}{4}$ OF PROJECTED SECTION 35, T13N, R1E, MDB&M.

TYNDALL MOUND PLANT

- (6) SOUTH SEVENTY-FIVE DEGREES FORTY-SEVEN MINUTES EAST ($S75^{\circ}47'E$) TWO THOUSAND SIX HUNDRED THIRTY-NINE (2639) FEET FROM THE NW CORNER OF SECTION 12, T12N, R1E, MDB&M, AND BEING WITHIN THE $NE\frac{1}{4}$ OF $NW\frac{1}{4}$ OF SAID SECTION 12.

EL DORADO BEND PLANT

- (7) NORTH THIRTY-THREE DEGREES ONE AND ONE HALF MINUTES EAST ($N33^{\circ}1\frac{1}{2}'E$) EIGHT THOUSAND FOUR HUNDRED AND SIX-TENTHS (8,400.6) FEET FROM THE SW CORNER OF SECTION 31, T12N, R2E, MDB&M, AND BEING WITHIN THE $NE\frac{1}{4}$ OF $SE\frac{1}{4}$ OF PROJECTED SECTION 30, T12N, R2E, MDB&M.

WITNESS my hand and the seal of the State Water Rights Board of the

State of California this

1 st day of August, 1936

L. K. Hill
L. K. Hill
Executive Officer



- (1) SOUTH EIGHTY DEGREES SEVENTEEN MINUTES EAST ($S 80^{\circ} 17' E$) NINE HUNDRED (900) FEET FROM THE NORTHWEST CORNER OF LOT 35, AS SAID LOT IS DELINEATED AND SO DESIGNATED ON THAT CERTAIN MAP ENTITLED "MAP OF YOLO LAND COMPANY SUBDIVISION NO. 1", FILED NOVEMBER 6, 1912 IN BOOK 1, PAGE 86, RECORDS OF SURVEYS, COLUSA COUNTY RECORDS, AND BEING AT THE DISTRICT'S WILKINS SLOUGH PLANT AND LYING WITHIN THE $SW\frac{1}{4}$ OF THE $SE\frac{1}{4}$ OF PROJECTED SECTION 35, T 14 N, R 1 E, M.D.B.&M;
- (2) SOUTH NO DEGREES FOURTEEN MINUTES WEST ($S 0^{\circ} 14' W$) ONE THOUSAND TWO HUNDRED FIFTY-SIX (1256) FEET FROM THE NORTHEAST CORNER OF LOT 222, AS SAID LOT IS DELINEATED AND SO DESIGNATED ON THAT CERTAIN MAP ENTITLED "MAP OF RIVER GARDEN FARMS SUBDIVISION NO. 4", FILED MARCH 3, 1913 IN BOOK 1, PAGE 91, RECORDS OF SURVEYS, COLUSA COUNTY RECORDS, AND BEING AT THE DISTRICT'S STEINER BEND PLANT AND LYING WITHIN THE $NE\frac{1}{4}$ OF THE $SE\frac{1}{4}$ OF PROJECTED SECTION 12, T 13 N, R 1 E, M.D.B.&M;
- (3) NORTH EIGHTY-SIX DEGREES THIRTY-TWO MINUTES EAST ($N 86^{\circ} 32' E$) EIGHT HUNDRED SEVENTEEN (817) FEET FROM THE SOUTHWEST CORNER OF LOT 332, AS SAID LOT IS DELINEATED AND SO DESIGNATED ON THAT CERTAIN MAP ENTITLED "MAP OF RIVER GARDEN FARMS SUBDIVISION NO. 5", FILED JULY 7, 1913 IN BOOK 1, PAGE 100, RECORDS OF SURVEYS, COLUSA COUNTY RECORDS, AND BEING AT THE DISTRICT'S BOYERS BEND PLANT AND LYING WITHIN THE $SE\frac{1}{4}$ OF THE $SE\frac{1}{4}$ OF PROJECTED SECTION 22, T 13 N, R 1 E, M.D.B.&M;
- (4) SOUTH SEVENTY-FIVE DEGREES FORTY-SEVEN MINUTES EAST ($S 75^{\circ} 47' E$) TWO THOUSAND SIX HUNDRED THIRTY-NINE (2639) FEET FROM THE NORTHWEST CORNER OF SECTION 12, T 12 N, R 1 E, M.D.B.&M., AND BEING AT THE DISTRICT'S TYNDALL MOUND PLANT AND LYING WITHIN THE $NE\frac{1}{4}$ OF THE $NW\frac{1}{4}$ OF SAID SECTION 12;
- (5) NORTH THIRTY-THREE DEGREES ONE AND ONE-HALF MINUTES EAST ($N 33^{\circ} 01\frac{1}{2}' E$) EIGHT THOUSAND FOUR HUNDRED AND SIX TENTHS (8400.6) FEET FROM THE SOUTHWEST CORNER OF SECTION 31, T 12 N, R 2 E, M.D.B.&M., AND BEING AT THE EL DORADO BEND PLANT AND LYING WITHIN THE $NE\frac{1}{4}$ OF THE $SE\frac{1}{4}$ OF PROJECTED SECTION 30, T 12 N, R 2 E, M.D.B.&M.



STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

License for Diversion and Use of Water

APPLICATION 576

PERMIT 315

LICENSE 3065

THIS IS TO CERTIFY, That Reclamation District No. 108, c/o Blackie and Wood, 544 Market Street, San Francisco, California

has made proof as of June 15, 1949
(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the water of Sacramento River in Yolo and Colusa Counties

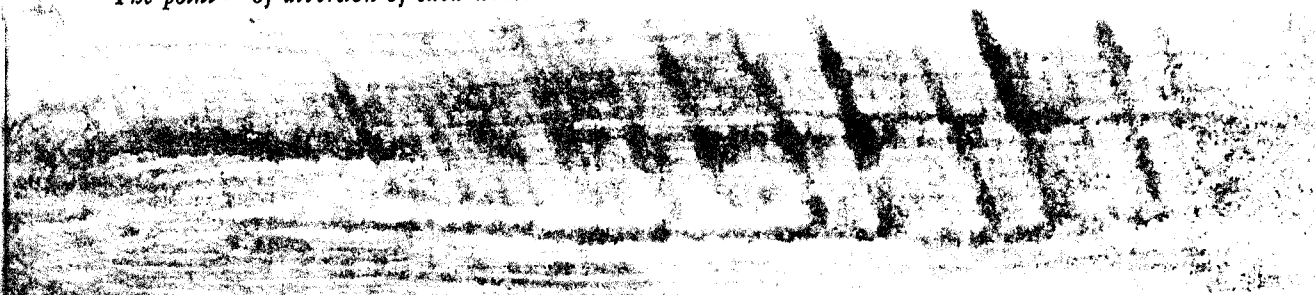
tributary to Suisun Bay

for the purpose of irrigation use
under Permit 315 of the Department of Public Works and that said right to the use of said water has been perfected in accordance with the laws of California, the Rules and Regulations of the Department of Public Works and the terms of the said permit; that the priority of the right herein confirmed dates from January 25, 1917;

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed one hundred eighty (180) cubic feet per second to be diverted from about February 1 to about October 31 of each year, provided however that the total amount diverted hereunder and under Licenses 3066 and 3067 shall not exceed seven hundred twenty-five (725) cubic feet per second.

The equivalent of such continuous flow for any thirty (30) day period may be diverted in a shorter time if there be no interference with vested rights.

The points of diversion of such water are located as follows:



A description of the lands or the place where such water is put to beneficial use is as follows: A net irrigable area of thirty-eight thousand five hundred ten (38510) acres within the boundaries of Reclamation District No. 108 and being within T 11 N, R 1 E; T 12 N, R 1 & 2 E; T 13 N, R 1 W & 1 E; and T 14 N, R 1 W & 1 E, M.D.B.&M., as shown on map filed with State Engineer; provided however that the total area irrigated in any one year hereunder and under Licenses 3066 and 3067 shall not exceed twenty-two thousand six hundred sixty-three (22663) acres.

All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Department acting through the State Engineer in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the State Engineer.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Department.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

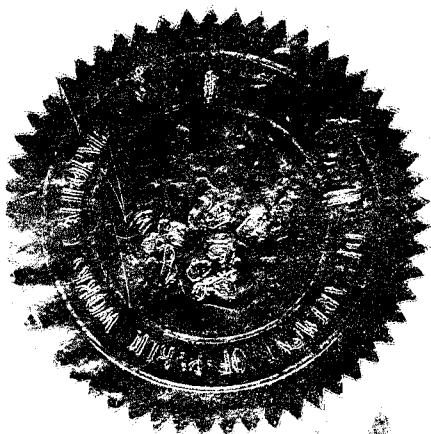
Section 1629. Every licensee, if he accepts a license, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property can not agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Witness my hand and the seal of the Department of Public
Works of the State of California, this 24th
day of February, 1950

[SEAL]



A. D. Edmonston

A. D. EDMONSTON

State Engineer

3065

LICENSE

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

LICENSE
TO APPROPRIATE WATER

ISSUED TO Reclamation District No. 108

DATED FEB 24 1950